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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,257	07/27/2001	Masayuki Hisatake	040894-5692	6806

9629 7590 12/15/2005

MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004

EXAMINER	
MILIA, MARK R	

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/915,257	HISATAKE ET AL.	
	Examiner	Art Unit	
	Mark R. Milia	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 September 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 September 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 9/30/05 and has been entered and made of record. Currently, claims 1-9 are pending.

Drawings

2. Applicant's amendment to add a "Prior Art" label to Fig. 9 and to insert reference character "S52" into the specification has overcome the objection to the Drawings as cited in the previous Office Action.

Response to Arguments

3. Applicant's arguments filed 9/30/05 have been fully considered but they are not persuasive.

In response to applicant's arguments regarding the rejection of claims 1, 4, 6, and 8, wherein on pages 12-13, the applicant asserts that the reference of Tanimoto fails to disclose control means which immediately decompresses the image data included in the image information when the attribute and the image data are determined to be arranged in the predetermined sequence. The examiner respectfully disagrees as

the reference of Tanimoto does disclose such a feature. Particularly, Tanimoto discloses in paragraphs [0034]-[0038] that the electronic mail is received by the system and stored in memory, a TIFF is extracted and analyzed to determine if the header information is in a predetermined sequence, and the image is decompressed (converted to dot data) if the system judges the arrangement to be correctly sequenced. Thus, the reference of Tanimoto does disclose control means which immediately decompresses the image data included in the image information when the attribute and the image data are determined to be arranged in the predetermined sequence and therefore the claim limitation is anticipated by the reference.

In response to applicant's arguments regarding the rejection of claims 2, 5, 7, and 9, wherein on pages 13-15, the applicant asserts that the reference of Tanimoto fails to disclose control means which stores information indicating that attribute information and image data are arranged in a predetermined sequence into header information pertaining to the image information, and which produces the image information by means of storing the attribute information and the image data in a predetermined sequence and output means which exchanges with a receiver device which is to send the image information, negotiation information pertaining to a layout sequence of the attribute information and the image data, and which outputs the image information, and control means which arranges the attribute information and the image data in a predetermined sequence on the basis of the result of exchange of the negotiation information, thereby producing the image information, and which outputs the image information to the output means. The examiner respectfully disagrees as the

reference of Tanimoto does disclose such features. Particularly, Tanimoto discloses a system that can convert electronic mail to a form that can be output by a facsimile device or vice versa. During the conversion between the two formats the system converts the data into a TIFF format containing header information and image data (see paragraph [0030] lines 1-4). The header information and image data are arranged in a predetermined sequence that will be checked after the data is received, converted to dot data, and finally printed out (see paragraphs [0034]-[0038]). Thus, there is a negotiation between the electronic mail service and the facsimile device to transfer the data, change the data into TIFF format, made up of header information and image data, and determine if the TIFF format is in a predetermined sequence, upon which if it is judged to be correctly sequenced, the data is converted into dot data for ultimate output (see paragraphs [0034]-[0038]). Therefore, Tanimoto discloses control means which stores information indicating that attribute information and image data are arranged in a predetermined sequence into header information pertaining to the image information, and which produces the image information by means of storing the attribute information and the image data in a predetermined sequence and output means which exchanges with a receiver device which is to send the image information, negotiation information pertaining to a layout sequence of the attribute information and the image data, and which outputs the image information, and control means which arranges the attribute information and the image data in a predetermined sequence on the basis of the result of exchange of the negotiation information, thereby producing the image information,

and which outputs the image information to the output means as recited in claims 2, 5, 7, and 9.

4. Therefore, the rejection of claims 1-9, as cited in the previous Office Action dated 6/30/05, under 35 U.S.C. 102, as being anticipated by Tanimoto, is maintained and repeated in this Office Action.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent Application Publication No. 11-127297 to Tanimoto, as cited on Information Disclosure Statement dated July 27, 2001.

Regarding claim 1, Tanimoto discloses an image information processing apparatus capable of entering image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image data, said image information processing apparatus comprising: communications means for receiving the image information (see Drawings 1 and 2 and paragraphs [0013], [0016], and [0018]), and control means which determines whether or not the attribute information and the image data are arranged in a predetermined sequence from header information pertaining to the image information received by said communications means, and which immediately decompresses the image data included

in the image information when the attribute information and the image data are determined to be arranged in the predetermined sequence (see Drawings 1, 2, and 4, paragraphs [0013], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3], [0034]-[0038], and [0049]-[0050], reference states that the header information is in a predetermined sequence and that sequence is checked upon reception, which is analogous to the claim limitation, and also the image data is decompressed at the time of reception , which is also analogous to the claim limitation, therefore the reference anticipates the claim limitations).

Regarding claim 2, Tanimoto discloses an image information processing apparatus capable of entering image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image data, said image information processing apparatus comprising: control means which stores information indicating that attribute information and image data are arranged in a predetermined sequence into header information pertaining to the image information, and which produces the image information by means of storing the attribute information and the image data in a predetermined sequence (see Drawings 1, 2, and 4, paragraphs [0013], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3], [0034]-[0038], and [0049]-[0050]), and output means for outputting the generated image information (see Drawing 1 and paragraph [0020] lines 2-5).

Regarding claim 3, Tanimoto discloses the system discussed in claim 2, and further discloses wherein said output means exchanges negotiation information in connection with a layout sequence of attribute information and image data with a

receiver device which receives the image information, (see Drawings 1, 2, and 4, and paragraphs [0004]-[0010] and [0035]-[0038]), and said control means generates the image information on the basis of a result of the exchange negotiation information (see paragraphs [0038] and [0049]).

Regarding claim 4, Tanimoto discloses an image information processing apparatus capable of entering image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image data, said image information processing apparatus comprising: communications means which exchanges with sender device sending the image information, negotiation information in connection with a layout sequence of the image data and attribute the information and which receives the image information (see Drawings 1, 2, and 4, paragraphs [0004]-[0010], [0013], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3], [0034]-[0038], and [0049]-[0050]), and control means which immediately decompresses the image data included in the image information upon receipt of a message indicating that the attribute information and the image data are arranged in a predetermined sequence, as a result of exchange of the negotiation information (see paragraphs [0016], [0030] lines 1-4, and [0031] lines 1-3]).

Regarding claim 5, Tanimoto discloses an image information processing apparatus which produces image information in an image file format, the format enabling storage of image data and attribute information thereof in arbitrary positions, said image information processing apparatus comprising: output means which exchanges with a receiver device which is to send image information, negotiation

information pertaining to a layout sequence of the attribute information and the image data, and which outputs the image information (see Drawings 1, 2, and 4, and paragraphs [0004]-[0010] and [0035]-[0038]), and control means which arranges the attribute information and the image data in a predetermined sequence on the basis of a result of the exchanged negotiation information, thereby producing the image information, and which outputs the image information to the output means (see Drawings 1, 2, and 4, paragraphs [0013], [0016], [0020] lines 2-5, [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3], [0034]-[0038], and [0049]-[0050]).

Regarding claim 6, Tanimoto discloses a computer-readable storage medium in which is stored program for causing a computer to perform processing for entering and decompressing image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image data, the processing comprising: a determination step of determining whether or not the attribute information and the image data are arranged in a predetermined sequence from header information pertaining to the entered image information (see Drawings 1, 2, and 4, paragraphs [0013], [0015], [0016], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3], [0034]-[0038], and [0049]-[0050]), and a decompression step of immediately decompressing the image data included in the image information when in the determination step the attribute information and the image data are determined to be arranged in the predetermined sequence (see paragraphs [0030] lines 1-4 and [0031] lines 1-3).

Regarding claim 7, Tanimoto discloses a computer-readable storage medium in which is stored a program for causing a computer to perform processing for producing image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image data, the processing comprising: a sequential information storage step of storing information indicating that the attribute information and the image data are stored predetermined sequence into header information of the image information (see paragraphs [0016], [0024], and [0034]-[0037]), an image information generation step of producing the image information by means of storing the attribute information and the image data in the predetermined sequence (see paragraphs [0013], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3, [0034]-[0038], and [0049]-[0050]), and an output processing step of outputting generated image information (see paragraphs [0020] lines 2-5 and [0038]).

Regarding claim 8, Tanimoto discloses a computer-readable storage medium in which is stored a program for causing a computer to perform processing for entering and decompressing image information in an image file format which enables storage, in arbitrary positions, of image data and attribute information pertaining to the image data, the processing comprising: a negotiation processing step of conducting negotiations in connection with a layout sequence of the image data and attribute information with a sender device which sends the image information (see paragraphs [0034]-[0038]), and a decompression step of immediately decompressing the image data included in the received image information, when it is reported that the attribute information and the

image data are arranged in a predetermined sequence through the negotiation processing step (see paragraphs [0030] lines 1-4 and [0031] lines 1-3).

Regarding claim 9, Tanimoto disclose a computer-readable storage medium in which is stored a program for causing a computer to perform processing for producing image information in an image file format which enables storage in arbitrary positions, image data and attribute information pertaining to the image data, the processing comprising: negotiation processing step conducting negotiations in connection with a layout sequence of the image data and the attribute information with a receiver device which sends the image information (see paragraphs [0034]-[0038]), an image information generation step of producing the image information by means of arranging the attribute information and the image data in a predetermined sequence on the basis of a result of negotiations performed the negotiation processing step (see paragraphs [0013], [0024], [0028] lines 3-6, [0030] lines 1-4, [0031] lines 1-3, [0034]-[0038], and [0049]-[0050]), and an output processing step of outputting produced image information (see paragraphs [0020] lines 2-5 and [0038]).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia
Examiner
Art Unit 2622

MRM